

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Cherrity Honesty-Alexis Meranelli,

Case No. 23-cv-2260 (JWB/DJF)

Plaintiff,

v.

ORDER

Jesse Ryan Pruette, Jane Does, and John Does,

Defendants.

IT IS HEREBY ORDERED THAT:

1. Plaintiff Cherrity Honesty-Alexis Meranelli must submit a properly completed Marshal Service Form (Form USM-285) for Defendant Jesse Ryan Pruette. If Ms. Meranelli does not complete and return the Marshal Service Form within 30 days of this Order's date, the Court will recommend dismissing this matter without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. The Court will provide a Marshal Service Form to Ms. Meranelli.

2. After Ms. Meranelli returns the completed Marshal Service Form, the Court directs the Clerk of Court to seek waiver of service from Defendant Jesse Ryan Pruette—in his individual capacity—consistent with Rule 4(d) of the Federal Rules of Civil Procedure.

3. If Mr. Pruette fails without good cause to sign and return a waiver within 30 days of the date the waiver is mailed, the Court will impose upon him the expenses later incurred in effecting service of process. Absent a showing of good cause, reimbursement of the costs of service is mandatory and will be imposed in all cases in which a defendant does not sign and return a waiver-of-service form. *See* Fed. R. Civ. P. 4(d)(2).

4. The Court directs the U.S. Marshals Service to effect service of process on Mr. Pruette—in his official capacity with the State of Minnesota—consistent with Rule 4(j)(2) of the Federal Rules of Civil Procedure.

5. Ms. Meranelli’s application to proceed *in forma pauperis* (“IFP Application”) (ECF No. 2) suggests that permitting *in forma pauperis* status is appropriate; however, Ms. Meranelli did not sign her IFP Application. (*See id.* at 5; *cf.* Fed. R. Civ. P. 11(a) (stating that “[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented,” and that a “court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney’s or party’s attention”). The Court therefore orders Ms. Meranelli to submit a signed copy of the IFP Application within 14 days of this Order’s date, failing which the Court will recommend dismissing this action without prejudice under Federal Rule of Civil Procedure 41(b)) for failure to prosecute.

6. To help complete item (5) above, the Court directs the Clerk of Court to send Ms. Meranelli a copy of her IFP Application (ECF No. [2]).

Dated: August 24, 2023

s/ Dulce J. Foster

DULCE J. FOSTER

United States Magistrate Judge